

Memo

To: Mayor and City Council
Through: John Lettelleir, A.I.C.P., Director of Planning
From: Jeffrey Witt, Planner
CC: George Purefoy, City Manager
Date: 12/15/2000
Re: Zoning Case ZC2000-61

Zoning Case ZC2000-61 (the creation of a definition for "In-Home Daycare" and the removal of the use and definition for "Intergenerational Care in Residence" from the Zoning Ordinance) was approved by the Planning and Zoning Commission at their November 28, 2000 meeting with the condition that instead of removing "Intergenerational Care in Residence" that the definition be modified and forwarded to City Council for approval. "Intergenerational Care in Residence" allows for the care of children and adults in a residence for compensation but would not include overnight lodging, medical treatment, counseling or rehabilitative services. In addition, the "Intergenerational Care" use requires a Special Use Permit in all residential districts, except in Multi-Family where it is prohibited. Staff had originally suggested that the definition "Intergenerational Care in Residence" be removed to eliminate confusion in the application of the Zoning Ordinance. However, in conversations with the Texas Department of Protective and Regulatory Service's, staff identified additional concerns of placing children and adults for care in the same residence.

Staff recommends that the use of "Intergenerational Care in Residence" be removed from the Zoning Ordinance as originally proposed for the above reason. This use can be addressed with the update of the Zoning Ordinance's Land Use Charts and Definitions in early 2001.

Staff feels that this recommendation would better serve the needs of all the citizens of Frisco and would be more appropriate. If you have any questions please feel free to contact me

November 29, 2000

TO: Mayor and City Council

FROM: John Lettelleir, Director of Planning

SUBJECT: Results of the Planning & Zoning Meeting November 28, 2000

The following item is scheduled for the December 19, 2000 City Council Meeting

Public Hearing: Zoning Case Z2000-61
Applicant(s): City of Frisco

DESCRIPTION:

A request to amend the Zoning Ordinance (Section 4 – Definitions and Section 3 – Use of Land and Buildings) as it relates to the creation of a definition for “In-Home Daycare” and the removal of the use and definition for “Intergenerational Care”.

APPROVED: 6-0 **DENIED:** _____ **TABLED:** _____

RECOMMENDATION:

Recommend for approval as follows:

Add definition for “In-Home Daycare” to Section 4 of the Zoning Ordinance

In-Home Daycare – Allowed as a home occupation (see definition of “Home Occupation”) in the caretaker’s residence under the following conditions:

1. Provides care for less than 24 hours a day to no more than six children under the age of fourteen, plus no more than six additional elementary school-age children (age five to thirteen).
2. The total number of children (counting the caretaker’s own children) is no more than twelve at any time.
3. Registration with the Texas Department of Protective and Regulatory services is required.

Remove definition for “Intergenerational Care in Residence” from Section 4 of the Zoning Ordinance

INTERGENERATIONAL CARE IN RESIDENCE - Any residence or facility which receives four or more persons for regular periods of time and for compensation, excluding any of the caretaker's own family members.

Child care in a residence is defined to be where four or more children are received under the age of fourteen (14) years, and not of common parentage, for care apart from their natural parents, legal guardians or custodians, for regular periods of time and for compensation, excluding the caretaker's own children, and that provides care after school for not more than four (4) additional elementary school siblings of the other children given care, but the total number of children, including the caretaker's own children, does not exceed twelve (12) at any given time.

The term "intergenerational care" shall not include overnight lodging, medical treatment, counseling or rehabilitative services.

Remove the use of “Intergenerational Care” from Section 3 of the Zoning Ordinance

A	RE	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	PH	TH	2F	MF-1	MF-2	MH	
S	S	S	S	S	S	S	S	S	S	S	S		S	INTERGENERATIONAL CARE

JW/sg

cc: Frank Jaromin
Donnie Mayfield
Mack Borchardt

Agenda No.: 5
Public Hearing: Zoning Case Z2000-61
Applicant(s): City of Frisco

DESCRIPTION:

A request to amend the Zoning Ordinance (Section 4 – Definitions and Section 3 – Use of Land and Buildings) as it relates to the creation of a definition for “In-Home Daycare” and the removal of the use and definition for “Intergenerational Care”.

REMARKS:

The Planning and Zoning Commission called a public hearing at staff’s request to update the number of children allowed at a in-home daycare to reflect current State of Texas requirements. The current State requirements allow a caretaker to watch a maximum of 12 children with a registration from the State. Of those 12 children, no more than 6 can be under the age of fourteen and no more than 6 can be of school age (5-13 years). The State has strict standards on the number of children a caretaker may watch based on the ages of the children being watched (see attached State Standards).

Currently, there is not a definition or use for “In-Home Daycare” in the Zoning Ordinance and it has some confusion on how to treat such uses (see letter from Frisco Independent Childcare Association). With the addition of a definition of “In-Home Daycare” that reflects the State of Texas requirements this confusion would be eliminated.

The definition and use for “Intergenerational Care” does not reflect current State requirements and should be removed to eliminate confusion in the application of the Zoning Ordinance. In addition, the “Intergenerational Care” use requires a Special Use Permit in all residential districts, except in Multi-Family where it is prohibited.

RECOMMENDATION:

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2. The total number of children (counting the caretaker’s own children) is no more than twelve at any time.
3. Registration with the Texas Department of Protective and Regulatory services is required.

Remove definition for “Intergenerational Care in Residence” from Section 4 of the Zoning Ordinance

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S	S	S	S	S	S	S	S	S	S	S	S		S	INTERGENERATIONAL CARE